



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
May 7, 2013

MEMBERS, OCONEE COUNTY COUNCIL
Mr. Joel Thrift, District IV, Council Chairman
Mr. Paul Corbeil, District I, Vice Chairman
Mr. Wayne McCall, District II, Chairman Pro Tem
Mr. Archie Barron, District III
Mr. Reg Dexter, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, Thomas L. Martin County Attorney, County Administrator Scott Moulder, Assistant Administrator Glenn Breed and Clerk to Council Elizabeth G. Hulse present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeese.com/council]. In addition it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Member of the press present: Ray Chandler-Anderson Independent, Dick Mangrum – WGOG Radio, Ashton Hester – Keowee Courier & Norman Cannada -The Daily Journal.

Call to Order:

Mr. Thrift called the meeting to order at 6:00 p.m.

Public Comment Session [related to specific agenda items]:

Mr. C. W. Richards addressed Council voicing support for the lease with the City of Walhalla related to repair of the city pool.

Mr. Randy Gilchrist addressed Council in opposition to passage of Ordinance 2011-25 and an additional contract for the county administrator.

Mr. Tom Markovich addressed Council in opposition to passage of Resolution R2013-12.

Public Comment Session [related to non-agenda items]:

Ms. Susie Cornelius addressed Council regarding the ongoing Keowee-Toxaway relicensing; voicing concerns regarding water issues.

Ms. Beverly Lohman addressed Council requesting Council consider adopting an ordinance to require fire hydrants in the county.

Mr. Joe Jones addressed Council regarding the Council's perceived overspending of tax dollars.

Mr. Rich Isear addressed Council regarding high taxes and perceived "give aways" to private entities.

Ms. Lynn Morrey addressed Council voicing concern regarding Council's performance.

Mr. B. J. Littleton addressed Council voicing opposition to the proposed vehicle maintenance tax in the FY 2014 budget.

Extended Public Comment:

SC Representative Tommy Stringer's Gas Tax Increase Proposal / Mr. Doug Young

Mr. Young addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] advocating for a gasoline sales tax increase.

Proposed Vehicle Maintenance Fee / Mr. Berry Nichols

Mr. Nichols addressed Council in opposition to the proposed \$15 vehicle maintenance fee for the fiscal year 2013-2014 budget.

County Council Response to Public Comment:

No Council member made comment at this time.

Meeting Recess:

Mr. Thrift announced a recess at 6:35 p.m.

Meeting Reconvene:

Mr. Thrift reconvened the meeting at 6:41 p.m.

Pledge of Allegiance:

Mr. Thrift asked the three Eagle Scouts present to lead the Pledge of Allegiance to the Flag of the United States of America.

Minutes:

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve the minutes from the April 16, 2013 regular meeting as presented.

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve the minutes from the April 30, 2013 special meeting as presented.

First & Final Reading of the Following Proclamations

Proclamation P2013-02 "A PROCLAMATION DESIGNATING MAY 15, 2013 AS PEACE OFFICERS' MEMORIAL DAY IN OCONEE COUNTY"

Proclamation P2013-03 "A PROCLAMATION HONORING JOHN ADDISON LAND UPON RECEIVING THE RANK OF EAGLE SCOUT"

Proclamation P2013-04 "A PROCLAMATION HONORING BRIGHTIN REX BLANDON UPON RECEIVING THE RANK OF EAGLE SCOUT"

Proclamation P2013-05 "A PROCLAMATION HONORING TUCKER MACLAYNE BRYSON UPON RECEIVING THE RANK OF EAGLE SCOUT"

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Proclamations P2013-02, P2013-03, P2013-04 and P2013-05** in a single motion on first and final reading.

Mr. Thrift asked Chief Deputy Kevin Davis to step forward to accept Proclamation P2013-02 as the Clerk read the Proclamation into the record.

Mr. Thrift asked the three scouts to step forward while the Clerk to Council read the full proclamations into the record; specifically noting each scouts eagle project. Mr. Thrift thanked the Eagle Scouts for their contributions to Oconee County. The scouts received a standing ovation from those present in chambers.

Presentations to Council

Mountain Lakes Development Corporation [MLBDC] Update / Mr. Dave Eldridge, Chair

Mr. Richard Blackwell, Economic Development Director, introduced Mr. Eldridge who addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] highlighting activities and goals for the MLBDC. Mr. Thrift thanked Mr. Eldridge for his presentation and the groups support for start-up businesses in the county.

Administrator's Report & Agenda Summary

Mr. Moulder briefly reviewed with Council and for the public's benefit specifics related to the following matters before Council at this meeting:

Ordinance 2013-06 – Public Hearing & Third and Final Reading

Ordinance 2011-25 – Ordinance returned by the Planning Commission for final action

Ordinance 2013-10 – Second Reading

Consent Agenda Items for First Reading: Ordinances 2013-01, 2013-02 & 2013-03 [budget ordinances]

Consent Agenda Items for First Reading: Ordinances 2013-11, 2013-12, 2013-13 & 2013-14

[intergovernmental agreements with municipalities related to building codes administration]

Ordinance 2013-015 – First Reading in title only

Resolution R2013-09 – First & Final Reading – modification to retiree health coverage

Resolution R2013-10 – First & Final Reading – mutual aid agreements with various counties & sheriff

Resolution R2013-11 – First & Final Reading – mutual aid agreements with various cities & sheriff

Resolution R2013-12 – First & Final Reading – resolution opposing passage of H3290 & S203

Discussion Item: Bid 12-12 / Food for Detention Center

Council Committee Report

Commission Appointments

Executive Session

Public Hearing Regarding the Following Ordinances

Ordinance 2013-06 “AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017, 2010-04, 2010-24, 2010-32, 2011-09, 2011-15 AND 2011-34”

Mr. Thrift opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Thrift opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding Ordinance 2013-06.

Third & Final Reading of the Following Ordinances

Ordinance 2011-25 “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2012-14, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2012-14 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO”

[Council Initiated Rezoning # 1 PRLD]

Mr. Moulder & Mr. Martin both addressed Council briefly regarding specifics related to Clemson's request to have their properties removed from this rezoning request. It was stated that state legislation established Clemson University in the same category as a municipality and that their property within a 5 mile radius of Tillman Hall falls within the boundary. Therefore, Clemson University owned properties within that boundary are not within the county's jurisdiction to rezone.

In addition, Mr. Josh Stephens, Zoning Administrator, addressed Council regarding parcel 211-00-02-031 which was requested to be removed as it is owned by the Oconee Joint Regional Sewer Authority and was left in the ordinance at second reading in error based on a previous Council request.

Discussion followed.

Mr. Dexter made a motion, seconded by Mr. Corbeil to approve **Ordinance 2011-25**.

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to amend **Ordinance 2011-25** by [1] removing all Clemson University property within the 5 mile radius of Tillman Hall and [2] removing parcel 211-00-02-031 from the ordinance.

Mr. Thrift called for the vote. The motion passed 4 – 1 [Mr. McCall opposed] to approve **Ordinance 2011-25** on third and final reading as amended.

Ordinance 2013-06 “AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017, 2010-04, 2010-24, 2010-32, 2011-09, 2011-15 AND 2011-34”

Mr. Barron made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2013-06** on third and final reading.

Second Reading of the Following Ordinances

[Note: Public Hearings will be scheduled at or before third & final reading for the following ordinances as required]

Ordinance 2013-10 “AN ORDINANCE AUTHORIZING ACCEPTANCE OF TRANSFER OF AUTHORITY FOR MUNICIPAL ELECTIONS FOR THE CITY OF WALHALLA AND THE CITY OF WESTMINSTER AND AUTHORIZING AN INTERGOVERNMENT AGREEMENT OR EMBODYING DOCUMENT INCLUDING THE TERMS OF ANY AGREEMENT, WITH EACH; AND OTHER MATTERS RELATED THERETO”

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2013-10** on second reading.

First Reading of the Following Ordinances

Consent Agenda Item: Ordinances 2013-01, 2013-02, 2013-03

Ordinance 2013-01 [*in title only*] “AN ORDINANCE TO ESTABLISH THE BUDGET FOR **OCONEE COUNTY** AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014”

Ordinance 2013-02 [*in title only*] “AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE **SCHOOL DISTRICT OF OCONEE COUNTY** AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE SCHOOL DISTRICT”

Ordinance 2013-03 [*in title only*] “AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE **KEOWEE FIRE SPECIAL TAX DISTRICT** AND TO ESTABLISH THE BUDGET FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014”

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2013-01, 2013-02 & 2013-03** on first reading in title only.

Consent Agenda Items: Ordinances 2013-11, 2013-12, 2013-13, 2013-14

Ordinance 2013-11 [*in title only*] “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF WALHALLA FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE CITY OF WALHALLA; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE CITY OF WALHALLA; TO AMEND ARTICLE II, ENTITLED

REGULATORY CODES, OF CHAPTER 6, ENTITLED BUILDINGS AND BUILDING REGULATIONS, OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, SO AS TO PROVIDE FOR THE AUTOMATIC ADOPTION OF THE LATEST EDITION OF CERTAIN INTERNATIONAL AND NATIONAL CODES APPROVED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL OR THE APPROPRIATE AUTHORITY; AND OTHER MATTERS RELATED THERETO”

Ordinance 2013-12 [*in title only*] “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF WEST UNION FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE TOWN OF WEST UNION; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE TOWN OF WEST UNION; AND OTHER MATTERS RELATED THERETO”

Ordinance 2013-13 [*in title only*] “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF WESTMINSTER FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE CITY OF WESTMINSTER; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE CITY OF WESTMINSTER; AND OTHER MATTERS RELATED THERETO”

Ordinance 2013-14 [*in title only*] “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF SALEM FOR THE ADMINISTRATION AND ENFORCEMENT OF BUILDING CODES WITHIN THE TOWN OF SALEM; TO AUTHORIZE OCONEE COUNTY BUILDING CODE PERSONNEL TO ADMINISTER AND ENFORCE BUILDING CODES WITHIN THE TOWN OF SALEM; AND OTHER MATTERS RELATED THERETO”

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2013-11, 2013-12, 2013-13 & 2013-14** on first reading in title only.

ORDINANCE 2013-15 [*in title only*] “AN ORDINANCE AUTHORIZING THE TRANSFER OF EASEMENTS FOR INGRESS, EGRESS AND UTILITIES ACROSS CERTAIN OCONEE COUNTY REAL PROPERTY AND AUTHORIZING THE EXECUTION AND DELIVERY OF AGREEMENTS RELATED TO THE SAME; AND OTHER MATTERS RELATED THERETO”

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2013-15** on first reading in title only.

First & Final Reading of the Following Resolutions

Resolution R2013-09 “A RESOLUTION TO APPROVE MODIFICATIONS TO THE HEALTH INSURANCE PLAN AND ADOPT RETIREE HEALTH INSURANCE GUIDELINES”

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Resolution R2013-09** on first and final reading.

Resolution R2013-10 “A RESOLUTION TO APPROVE MUTUAL AID AGREEMENTS BETWEEN OCONEE COUNTY SHERIFF’S OFFICE AND ANDERSON COUNTY SHERIFF’S OFFICE, GREENVILLE COUNTY SHERIFF’S OFFICE AND PICKENS COUNTY SHERIFF’S OFFICE”

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Resolution R2013-10** on first and final reading.

Resolution R2013-11 “A RESOLUTION TO APPROVE MUTUAL AID AGREEMENTS BETWEEN THE OCONEE COUNTY SHERIFF’S OFFICE AND THE CITIES OF ANDERSON, CLEMSON, EASLEY, GREENVILLE, SALEM, WALHALLA, WESTMINSTER, WEST UNION AND THE CLEMSON UNIVERSITY POLICE DEPARTMENTS”

Mr. Barron made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Resolution R2013-11** on first and final reading.

Resolution R2013-12 “A RESOLUTION IN OPPOSITION TO HOUSE BILL 3290 AND SENATE BILL 203 CURRENTLY PENDING BEFORE THE SOUTH CAROLINA GENERAL ASSEMBLY”

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Resolution R2013-12** on first and final reading.

Discussion Regarding Action Items

Award ITB 12-12 / Food for Detention Center / \$149,912.80

Ms. Robyn Courtright, Procurement Director, and Mr. Moulder addressed Council regarding this action item.

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to [1] award of ITB 12-12, Food Items for The Detention Center, to US Foods, Ft. Mill Division of Ft. Mill, SC, for the estimated annual amount of \$149,912.80, and [2] authorize the County Administrator to renew this bid for an additional four years, as long as the amount does not exceed the annual amount budgeted for the Detention Center.

Council Committee Reports

Transportation Committee / Mr. Thrift

Mr. Thrift read from a prepared statement [copy filed with these minutes] highlighting discussions that took place at the meeting held on April 16, 2013.

Budget, Finance & Administration Committee / Mr. Dexter

Mr. Dexter noted that the next Budget, Finance & Administration Committee meeting to address the FY2014 budget will be held on Monday, May 13, 2013 at 6:00 p.m. in Council Chambers.

Board & Commission Appointments

Aeronautics Commission

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to appoint Mr. David Bryant as the co-terminus District II Representative on the Aeronautics Commission.

Capital Project Advisory Committee

Mr. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 to re-appoint Mr. Corbeil as the Council Representative for a third and final one-year term.

Old Business

[None at this Meeting]

New Business

[None at this Meeting]

Executive Session:

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 enter into Executive Session for the purpose of discussing a contractual matter related to a potential lease and a contractual matter related to the Administrator’s employment agreement.

Council entered Executive Session at 7:43 p.m.

Council returned from Executive Session at 9:37 p.m. on a motion by Mr. McCall, seconded by Mr. Dexter, approved 5 – 0.

Mr. Thrift stated that no action was taken in Executive Session.

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to authorize the Council Chairman to continue negotiating the administrator’s contract as discussed in Executive Session.

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 direct the Administrator to send a letter to the City of Walhalla related to the Walhalla Pool as follows.

In order to assist the City of Walhalla to open its city pool for the 2013 season, Oconee County agrees to coordinate with the South Carolina Department of Corrections [SCDOC] to provide inmates to perform general labor and limited construction/repair resources as specifically identified in the City’s work plan, and as agreed to by the Oconee County Administrator and Sheriff. The City’s work plan will clearly identify when and for how long these resources will be required, allowing sufficient notice for the Sheriff to coordinate with the SDDOC. In doing so, the Administrator/Sheriff’s responsibility is limited to housing, feeding, transporting, providing security supervision and any required insurance related only to the inmate activities. In all other respects, the City acknowledges that it has the sole responsibility and liability for this project and any other parties, whether paid or volunteer, as agreed to by the County Administrator.

Mr. Martin noted for the record that it has been the intent of the City of Walhalla and the County from the outset of this project to only have the County provide inmate labor as outlined above. As the spearhead for this project; Mr. McCall concurred that the intent as stated by Mr. Martin and as outlined in the paragraph above.

Adjourn

Mr. McCall made a motion, approved unanimously 5 - 0, to adjourn at 9:41 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council